

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA                          )  
    )  
    )  
    ) CR. NO. 2:07CR294-MEF  
    )  
v    )  
    )  
    )  
JAMES LAMAR WALLER                              )

**ORDER**

Upon consideration of the January 17, 2008, motion for transportation (doc. # 44) filed by the defendant, it is

ORDERED that the motion be and is hereby DENIED. Contrary to the assertion in the motion, the defendant is not "still confined." He was released on bond and conditions of release on November 27, 2007. As a condition of release he was ordered to reside at a halfway house in Montgomery, Alabama. Later, that condition was amended (doc. # 29) to require that he reside at another half-way house as approved by his probation officer. The defendant is in no different condition than any other defendant who while on release must reside at a specific location. It is the responsibility of the defendant and his counsel to insure his appearance for further proceedings.

Done this 22<sup>nd</sup> day of January, 2008.

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/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE